

NELSON DEPROW,)
)
Plaintiff,)
)
vs.) Case No. 1:07CV85 CDP
)
MICHAEL J. ASTRUE,)
Commissioner of Social Security,)
)
Defendant.)

This matter is before me on the complaint of Nelson Deprow for judicial review under 42 U.S.C. § 405(g) of defendant's final decision denying him disability insurance benefits under Title II of the Social Security Act, 42 U.S.C. §§ 401 *et seq.* and supplemental security income benefits under Title XVI of the Act, 42 U.S.C. §§ 1381 *et seq.* I referred this matter to United States Magistrate Judge Lewis M. Blanton for a report and recommendation on all dispositive and non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1). On August 26, 2008, Judge Blanton filed his recommendation that the decision of the Commissioner be reversed and the case be remanded to the Commissioner for further proceedings. The government has not filed any objections and its time for doing so has expired.


After careful consideration, I will adopt and sustain the thorough reasoning

of Magistrate Judge Blanton set forth in support of his Report and Recommendation of August 26, 2008.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge [# 18] is adopted in its entirety, and the decision of the Commissioner is reversed and the case is remanded to the Commissioner for further proceedings.

A separate judgment will be entered this same date.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 9th day of September, 2008.